

DMB:SA/AH  
F.#2011R01313

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

SEALED APPLICATION

- against -

12 CR 134 (ERK)

IBRAHIM SULEIMAN ADNAN ADAM HARUN,  
also known as "Spin Ghul,"  
"Esbin Gol," "Isbungoul,"  
"Abu Tamim," "Joseph Johnson"  
and "Mortala Mohamed Adam,"

Defendant.

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LORETTA E. LYNCH, United States Attorney for the  
Eastern District of New York, by Assistant United States  
Attorneys David Bitkower, Shreve Ariail and Amanda Hector,  
submits this application for an order that the indictment (Docket  
Entry No. 1), a redacted copy of the government's October 4, 2012  
letter (Docket Entry No. 4), and the transcript of proceedings  
held before United States Magistrate Judge Marilyn D. Go on  
October 5, 2012 (Docket Entry No. 21), relating to this matter be  
unsealed, and that the defendant's true name be listed on the  
public docket. The factual basis for this application is set  
forth below.

1. On February 21, 2012, a grand jury sitting in the  
Eastern District of New York returned an indictment charging the  
defendant with (1) conspiring to murder United States nationals,  
in violation of Title 18, United States Code, Section 2332(b)(2);

(2) conspiring to bomb United States government facilities, in violation of Title 18, United States Code, Section 2332f; (3) conspiring to provide material support to al-Qaeda, in violation of Title 18, United States Code, Section 2339B; (4) providing material support to al-Qaeda, in violation of Title 18, United States Code, Section 2339B; (5) using firearms in furtherance of crimes of violence, in violation of Title 18, United States Code, Section 924(c); and (6) using explosives in furtherance of crimes of violence, in violation of Title 18, United States Code, Section 844(h).

2. The government subsequently sought the defendant's extradition from Italy, and, on July 5, 2012, the Naples Court of Appeals found the defendant extraditable to face the charges in the indictment pending against him in United States federal court, pursuant to the bilateral extradition treaty between the United States and Italy. On September 14, 2012, the Italian Minister of Justice ordered the defendant extradited. Agents of the Federal Bureau of Investigation ("FBI") New York Joint Terrorism Task Force took the defendant into custody in Italy on October 4, 2012, and he arrived in the Eastern District of New York that same day.

3. After arriving in the United States, the defendant was assigned counsel and, on October 5, 2012, was arraigned before Magistrate Judge Go. At the joint request of the

government and the defendant, that arraignment occurred in a sealed courtroom. In addition, and also at the joint request of the government and the defendant, the docket for this case was sealed and the defendant was referred to as John Doe.

3. The government and the defendant agree that there is no longer a need to keep certain filings in this case sealed or to use a pseudonym for the defendant. Accordingly, the parties jointly request that the indictment (Docket Entry No. 1), a redacted copy of the government's October 4, 2012 letter (Docket Entry No. 4), and the transcript of proceedings held before United States Magistrate Judge Marilyn D. Go on October 5, 2012 (Docket Entry No. 21), relating to this matter be unsealed, and that the defendant's true name be listed on the public docket. The government will confer with the Clerk of Court to review the remaining filings on the docket and will, if necessary and appropriate, make additional motions to unseal filings.

4. The government further requests that this application initially be filed under seal, but that it be unsealed in the event the Court grants this motion.

LORETTA E. LYNCH  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

By:  /s/

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Dated: March 20, 2013  
Brooklyn, New York